

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Police Department – Sanction of Compensation amount of Rs.2,68,849-00 in MV.OP No.508/2005 filed by Smt. D.Bhavani and others as an advance from the Contingency Fund – Orders – Issued.

HOME (WNT) DEPARTMENT

G.O.Rt.No: 993

Dated: 23-6-2011

Read:

From the D.G.P., A.P., Hyd., Lr.Rc.No.577/U3/2010, dated: 23.11-2010 & 25.11.2010.

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ORDER:

The Director General of Police, Andhra Pradesh, Hyderabad, in his letter read above has reported that, the S.P., Visakhapatnam District has stated that a case in Cr. No. 24/97 of A.Annavaram P.S. u/s 147, 148, 307, 302 r/w 149 IPC, Sec. 25 & 27 of Arms Act & Sec.3 & 5 of E.S. Act was registered on 8.8.1997 in respect of the blast of the Police Jeep by Naxalites at Lothugedda (V) in Visakhapatnam District at about 03-55 AM on 8.8.1997 in which four police personnel sustained grievous injuries and succumbed to deaths. **Smt. D.Bhavani**, Mother of deceased HC Divya Nageswara Rao has filed **MVOP No.508/2005** at MACT-cum-District Court, Visakhapatnam. The Learned Chairman-cum-District Judge has passed orders dated 8.6.2006 to pay a total sum of Rs. 3,70,000/- from the date of petition i.e., 15.7.2003, till the date of payment, proportionate costs & Advocate's Fee of Rs.5,335/- to the petitioners.

2. The Superintendent of Police, Visakhapatnam has also stated that as the orders of the learned Chairman-cum-District Judge were not found tenable both on facts and law, an appeal was preferred in MACMASR No.57973/2009 before the Hon'ble High Court, A.P., Hyderabad which was pleased to issue interim stay orders dated 25.8.2009 on the order dated 8.6.2006 of the learned Chairman-cum-District Judge, Visakhapatnam. The order conditional and reads as follows:

“There shall be interim stay on condition of that the petitioners half of the amount awarded by the Tribunal within a period of six weeks from today. The amount deposited under Section 173 of the M.V.Act, 1988 shall also be taken into account”.

3. The Director General of Police., A.P., Hyderabad has stated that Sri M.N.Aditya, Govt. Pleader. Visakhapatnam District in his letter dt. 28.10.2010 has informed that the period stipulated by the Hon'ble High Court has expired long ago, and, therefore, he has advised to deposit half of the decretal amount and then approach the Hon'ble High Court for stay of operation of the orders. He also specifically made a note cautioning that the court may pass orders for attachment of the properties of the Govt. in case of a failure.

4. The total compensation amount to be deposited in the case worked out by the Director General of Police., A.P., Hyderabad is as follows:

1.	Half of the Decretal amount	:	Rs.1,85,000-00
2.	Interest amount @ 7.5% Per annum from 15.7.2003 to 31.7.2003 (16 days)	::	Rs. 608-00
	1-8-2003 to 31.12.2010 (7 years & 5 months)	:	Rs.1,02,906-00

3. Proportionate costs & Advocate fee : Rs. 5,335-00

4. Rs.25,000/- already deposited : (-) Rs. 25,000-00

(G.O.Rt.No.158, Home (WNT) Dept.,
Dated; 31.1.2008)

Total : Rs. **2,68,849-00**

5. Therefore, the D.G.P., A.P., Hyderabad has requested the Govt. to accord administrative sanction for an amount of Rs.2,68,849/- (Rupees two lakhs sixty eight thousand eight hundred and forty nine only) towards compensation with interest in EP No.140/08 in MVOP No.508/2005 filed by Smt. D.Bhavani and others and to provide the amount from the Contingency Fund of A.P., under the Head of A/c “2055 Police – MH 109 – Direction Police – SH (03) District Police Force – 500/501 Compensation (Charged)”.

6.. Government after careful examination hereby accord sanction for payment of an amount of Rs. 2,68,849/- (Rupees two lakhs sixty eight thousand eight hundred and forty nine only) towards compensation with interest in EP No.140/08 in MVOP No.508/2005 filed by Smt. D.Bhavani and others

7. The expenditure sanctioned in para (6) above shall be debited to the Head of Account “2055 Police – MH 109 – Direction Police – SH (03) District Police Force – 500 Other charges - 501 Compensation (Charged)” and shall initially be met by way of an advance from the Contingency Fund, orders regarding which will be issued by Finance (BG.I) Department, separately.

8. The D.G.P., A.P., Hyderabad is requested to take necessary action in the matter and to submit necessary proposals for obtaining supplementary grant at appropriate time during the current financial year 2011 – 2012 towards recoupment of advance drawn from the Contingency Fund.

9. This order issues with the concurrence of Finance (Exp.Home) Department, vide their U.O.No.14975/202/A1/Expr.Home/11, dated : 18.6.2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**P.GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Director General of Police, A.P., Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
The Pay and Accounts Officer, Hyderabad.
The Director of Treasuries and Accounts Officer, A.P., Hyderabad.
The Principal Accountant General (A&E), A.P., Hyderabad.
The District Treasury Officer, Visakhapatnam.
The Finance (Exp.Home) Department.
The Finance (BG) Department.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER